

REMARKS

Reconsideration is respectfully requested. Claim 46 is pending.

The sole claim is directed to antibodies and/or immunoconjugates comprising an amino acid substitution at position 332 of a parent Fc polypeptide that exhibits altered binding to an FcγR. As noted in the Office Action dated November 16, 2006 in paragraph 13, position 332 is free of the art.

In addition, as discussed with Examiner Crowder and Examiner Chan, draft claims were submitted on March 29, 2007. For inexplicable reasons, these claims were entered as a "letter". After a telephone conference, Examiner Chan indicated that this submission will be ignored by the Office, and that the claims prior to the present submission are as submitted on January 17, 2007. Accordingly, amendments and arguments are thus directed.

Applicants have not dedicated or abandoned any unclaimed subject matter and moreover have not acquiesced to any rejections made by the Patent Office. Applicants reserve the right to pursue prosecution of any presently excluded claim embodiments in future continuation and/or divisional applications. In particular, the "comprising" language of the current claim allows additional substitutions.

REMARKS DIRECTED TO PRIORITY

The Examiner states in the Office Action dated November 16, 2006 that "position 332" of the Fc region is not supported by USSN 60/414,433, filed September 27, 2002. However, the Applicants respectfully point out that position 332 is recited in several places within the provisional application.

Specifically, Figures 2, 7 and 8 provide explicit support for an Fc variant with an amino acid substitution at position 332. As discussed with Examiner Crowder and Examiner Chan, the applicants respectfully request a statement in the record noting the priority.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending in this application are in condition for allowance. Should the Examiner not agree, the Applicant respectfully asks the Examiner to contact the undersigned at 415-442-1000 to discuss any remaining issues and accelerate the examination and allowance of this application. Authorization is granted to charge any outstanding fees due at this time for the continued prosecution of this matter to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (Docket No. 067461-5100-US02).

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Dated: May 11, 2007

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Filed Under 37 C.F.R. 1.34